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THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
600 GALLERIA PARKWAY, S.E.
STE 1500
ATLANTA, GA 30339-5994

EXAMINER	
KEEHN, RICHARD G	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/705,909	MORETON ET AL.	
	Examiner	Art Unit	
	RICHARD G. KEEHN	2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 July 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *41-78* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *41-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 41-78 have been examined and are pending.**

2. **Claims 1-40 were cancelled previously.**

3. **Claim amendments and arguments are not persuasive. Accordingly, this Office action is made FINAL.**

Response to Arguments

4. Applicant's arguments, see Page 15, filed 7/12/2010, with respect to the objection of Claim 46 have been fully considered and are persuasive. The objection of Claim 46 has been withdrawn.

5. Applicant's arguments, see Page 15, filed 7/12/2010, with respect to the rejection of Claims 74-78 under 35 U.S.C. 101 have been fully considered and are persuasive. The rejection of Claims 74-78 under 35 U.S.C. 101 has been withdrawn.

6. Applicant's prior-art arguments filed 7/12/2010 have been fully considered but they are not persuasive. Applicant's prior art arguments alleging that the cited prior art fails to disclose the claimed limitation "the second request being sent from the host after a host reboot to activate a second computing platform that is compatible with the other configuration" is not persuasive because Applicant has chosen to argue only a portion of the cited disclosure. Applicant is responsible for reviewing all of the cited portions and the cited art in its entirety. Applicant, on page 17 of the arguments, cites the portion of Watanabe at 18:16, but does not address the portion that Examiner cited at 17:25-37 which clearly discloses the dual-boot partitioned system with Windows and Linux

partitions wherein the configuration is defined after rebooting the system. Applicant's remaining arguments against the rejection of Claims 46, 52, 57, 63, 68, 74 and their dependent claims are not persuasive for the same reasons.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. **Claims 41, 42, 44, 45, 52, 53, 55, 56, 63, 64, 66 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Non-Patent Literature from Microsoft entitled "USB Remote NDIS Devices and Windows" (Microsoft), and further in view of US 6,763,458 B1 (Watanabe et al.) and US 2001/0042150 A1 (Moroz et al.).**

As to Claims 41, 52 and 63 Microsoft discloses a method, apparatus and system for coupling a universal serial bus network adapter supporting both a remote network drive interface specification and a non-network drive interface specification, the method performed by a network adapter, the method, comprising:

receiving a first request from a host, the host coupled to a device (Microsoft, Page 2 discloses the REMOTE_NDIS_QUERY_MSG sent by a host to a network adapter to request information);

returning a remote network drive interface specification configuration from the network, the remote network drive interface specification configuration being configured to operate with a first computing platform (Microsoft, Page 2 discloses the

REMOTE_NDIS_QUERY_CMPLT response from the adapter to the host which is a computing platform);

returning a [...] network drive interface specification configuration [...] (Microsoft, Page 2 discloses the REMOTE_NDIS_QUERY_CMPLT response from the adapter to the host).

Microsoft does not disclose providing a plurality of universal serial bus configurations to a universal serial bus network; and determining whether an other configuration is supported, the other configuration being incompatible with the first computing platform; and of support of the other configuration, the request being sent from the host after a host reboot to activate a second computing platform that is compatible with the other configuration. However, Watanabe et al. disclose

providing a plurality of universal serial bus configurations to a universal serial bus network (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22); and

non-remote (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22); and

determining whether an other configuration is supported, the other configuration being incompatible with the first computing platform (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22);

of support of the other configuration, the request being sent from the host after a host reboot to activate a second computing platform that is compatible with the other configuration (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine providing a plurality of universal serial bus configurations to a universal serial bus network; and determining whether an other configuration is supported, the other configuration being incompatible with the first computing platform; and of support of the other configuration, the request being sent from the host after a host reboot to activate a second computing platform that is compatible with the other configuration taught by Watanabe et al., with the method of receiving by a network adapter a first request from a host, returning a remote network drive interface specification configuration from the network adapter, and returning a non-remote network drive interface specification configuration from the network adapter taught by Microsoft.

One of ordinary skill in the art at the time the invention was made would have been motivated to apply superior support for different functions (Watanabe et al. – 17:34-37).

The combination of Microsoft and Watanabe et al. does not disclose, but Moroz et al. disclose

receiving a second request from the host, in response to receiving an indication (Moroz et al. – Page 4, ¶ [0045] discloses the system requesting configuration information from a first I/O port, and if it detects more than one I/O port exists, will continue with requests until all configuration information is retrieved); and

where the host is configured to parse the received configuration to determine the configuration supported by the device and where the host is configured to select a configuration that matches a client driver (Moroz et al. – Figure 4 discloses the parsing of the received configuration in item 409 and selecting configuration in item 427).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine receiving a second request from the host, in response to receiving an indication of multiple support configurations and where the host is configured to parse the received configuration to determine the configuration supported by the device and where the host is configured to select a configuration that matches a client driver taught by Moroz et al., with providing to the market a flexible usb network adapter to accommodate IBM PC and non-IBM PC remote networking platforms taught by the combination of Microsoft and Watanabe et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to continue to try all known configurations until the list of known configurations is exhausted in order to provide universal docking to the user (Moroz et al. - ¶¶ [0006] and [0045]).

As to Claim 42, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the method of claim 41,

wherein the client driver is a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses a driver capable of RNDIS).

As to Claim 44, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the method of claim 41,

wherein the network adapter determines whether any sub-system that corresponds to any configuration is currently active (Moroz et al. – Figure 4 discloses the comparison of inserted card configurations to known configurations).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 45, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the method of claim 41,

wherein the network adapter determines whether the active configuration matches the currently active sub-system, the method further comprising issuing a command to disable the sub-system when there is no match, and issuing a command to activate a new sub-system corresponding to the new configuration selected by the host (Moroz et al. – Figure 4 discloses determining whether the active configuration matches a currently active sub-system in item 405, disabling if there is no match in item 407, and activating if there is a match in item 427).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 53, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the apparatus of claim 52,

wherein the client driver is a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses a driver capable of RNDIS).

As to Claim 55, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the apparatus of claim 52,

wherein the network adapter determines whether any sub-system corresponds to any configuration is active (Moroz et al. – Figure 4 discloses the comparison of inserted card configurations to known configurations).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 56, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the apparatus of claim 52,

wherein the network adapter determines whether the active configuration matches the currently active sub-system, issues a command to disable the sub-system when there is no match, and issues a command to activate a new sub-system corresponding to the new configuration selected by the host (Moroz et al. – Figure 4 discloses determining whether the active configuration matches a currently active sub-system in item 405, disabling if there is no match in item 407, and activating if there is a match in item 427).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 64, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the system of claim 63,

wherein the client driver is a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses a driver capable of RNDIS).

As to Claim 66, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the system of claim 63,

wherein the network adapter determines whether any sub-system that corresponds to any configuration is active (Moroz et al. – Figure 4 discloses the comparison of inserted card configurations to known configurations).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 67, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the system of claim 63,

wherein the network adapter determines whether the active configuration matches the currently active sub-system, the system further comprising a first issuing component configured to issue a command to disable the sub-system when there is no match, and a second issuing component configured to issue a command to activate a new sub-system corresponding to the new configuration selected by the host (Moroz et al. – Figure 4 discloses determining whether the active configuration matches a

currently active sub-system in item 405, disabling if there is no match in item 407, and activating if there is a match in item 427).

The motivation and obviousness arguments are the same as in Claim 41.

8. **Claims 46, 49, 57, 60, 68, 71, 74 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Non-Patent Literature from Microsoft entitled "USB Remote NDIS Devices and Windows" (Microsoft), and further in view of US 6,763,458 B1 (Watanabe et al.) and US 2001/0042150 A1 (Moroz et al.).**

As to Claims 46 and 57, Microsoft discloses a method and apparatus, at a host, for coupling universal serial bus devices network adapter supporting both remote network drive interface specification and non-network drive interface specification, comprising the steps of:

detecting a network device, the network device operating on a first configuration, the first configuration being configured to operate with a first computing platform (Microsoft – Page 2 discloses the REMOTE_NDIS_KEEPALIVE_MSG which is used to detect the network adapter, NDIS being configured to operate with the computer);

issuing a universal serial bus reset to the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_RESET_MSG which is used to reset the network adapter);

sending the reset to the network device for resetting the state of the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_RESET_MSG which is used to reset the network adapter);

issuing a first descriptor request enabling the network device to communicate on the universal serial bus [...] (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter);

issuing a command enabling a retrieval of device descriptors from the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_QUERY_MSG used to query the adapter);

returning a device descriptor indicating a function of the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_QUERY_CMPLT used to respond to the query); and

issuing configuration commands, whereby, the network device is configured to return a list of descriptors (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host).

Microsoft does not explicitly disclose rebooting the host to activate a second computing platform that is compatible {with} a second configuration; and according to the second configuration, the second configuration being incompatible with the first computing platform and compatible with the second computing platform. However, Watanabe et al. disclose

rebooting the host to activate a second computing platform that is compatible with a second configuration (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22); and

according to the second configuration, the second configuration being incompatible with the first computing platform and compatible with the second computing platform (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22).

The combination of Microsoft and Watanabe et al. does not explicitly disclose wherein in response to a determination that at least one of the descriptors indicates multiple supported configurations, a second descriptor request is issued, but Moroz et al. et al. disclose wherein in response to a determination that at least one of the descriptors indicates multiple supported configurations, a second descriptor request is issued (Moroz et al. in ¶ [0045] disclose the system requesting configuration information from a first I/O port, and if it detects more than one I/O port exists, will continue with requests until all configuration information is received).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 49, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the method of claim 46,

wherein the host discards the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 60, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the apparatus of claim 57,

wherein the host discards the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 68 and 74, Microsoft discloses a system and non-transitory computer-readable media containing a computer-executable program for attaching a universal serial bus network adapter supporting both remote network drive interface specification and non-network drive interface specification, comprising:

a universal serial bus port configured to receive a network device according to a first configuration that is configured to operate with a computing platform (Microsoft – Page 1, under the heading “Remote NDIS” discloses a Plug and Play USB adapter);

a detecting component configured to detect the network device coupled to the universal serial bus port (Microsoft – Page 2 discloses the REMOTE_NDIS_KEEPALIVE_MSG which is used to detect the network adapter);

a first issuing component configured to issue a universal serial bus reset to the network device to reset the state of the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_RESET_MSG which is used to reset the network adapter);

a second issuing component configured to issue a command to enable the network device to communicate on the universal serial bus [...] (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter);

a third issuing component configured to issue a first descriptor request to retrieve device descriptors from the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_QUERY_MSG used to query the adapter);

a receiving component configured to receive a device descriptor listing indicating its function from the network device (Microsoft – Page 2 discloses the REMOTE_NDIS_QUERY_CMPLT used to respond to the query); and

a fourth issuing component configured to issue configuration commands, whereby, the network device returns a list of descriptors (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host).

Microsoft does not explicitly disclose, but Watanabe et al. disclose

according to a second configuration after a host reboot to activate a second computing platform that is compatible with the second configuration, the second configuration being incompatible with the first computing platform (Watanabe et al. disclose the dual-boot partitioned system with Windows and Linux partitions wherein the configuration is defined after booting/rebooting the system - 17:25-37 and 18:16-22).

The combination of Microsoft and Watanabe et al. does not explicitly disclose, but Moroz et al. et al. disclose wherein in response to a determination that at least one of the descriptors indicates multiple supported configurations, a second descriptor request is issued (Moroz et al. in ¶ [0045] disclose the system requesting configuration information from a first I/O port, and if it detects more than one I/O port exists, will continue with requests until all configuration information is received).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 71, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the system of claim 68, further comprising

a discarding component configured to discard the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 76, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the non-transitory computer-readable media of claim 74, further comprising

one or more instructions for discarding the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

9. **Claims 43, 47, 48, 50, 51, 54, 58, 59, 61, 62, 65, 69, 70, 72, 73, 75, 77 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of**

Microsoft, Watanabe et al. and Moroz et al., and further in view of Non-Patent Literature from Brownell and Machek on USB Host to Host Links (Brownell et al.).

As to Claim 43, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the method of claim 41.

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

wherein the client driver is a communications data class Ethemet (CDC-Ethemet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine CDC-Ethernet taught by Brownell, with the method of receiving by a network adapter a first request from a host, returning a remote network drive interface specification configuration from the network adapter, and returning a non-remote network drive interface specification configuration from the network adapter taught by the combination of Microsoft, Watanabe et al. and Moroz et al..

One of ordinary skill in the art at the time the invention was made would have been motivated to, and did, provide to the market a flexible usb network adapter to accommodate IBM PC and non-IBM PC remote networking platforms (e.g. Apple or PDA) (Brownell – Pages 6 and 8 demonstrate obviousness and motivation by actually combining NDIS and CDC-Ethernet in the same driver package).

As to Claim 47, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the method of claim 46,

wherein the resetting of the state of the network device involves disabling one of a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS).

The combination of Microsoft, Moroz et al. and Watanabe et al. does not disclose and a communications data class Ethernet (CDC-Ethernet), but brownell et al. disclose

and a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 48, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the method of claim 46,

wherein the list of descriptors for the configuration commands is for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses REMOTE_NDIS_QUERY_MSG command which is used to query the RNDIS network adapter).

The combination of Microsoft, Moroz et al. and Watanabe et al. does not disclose and a communications data class Ethernet (CDC-Ethernet), but Brownell et al. disclose

or a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 50, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the method of claim 46,

wherein the host accepts the configuration (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host).

The combination of Microsoft, Moroz et al. and Watanabe et al. does not disclose and a communications data class Ethernet (CDC-Ethernet), but Brownell et al. disclose

for the communications data class Ethernet (CDC-Ethernet) (; Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 51, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the method, of claim 46,

wherein the host issues a configuration to the device (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter).

The combination of Microsoft, Moroz et al. and Watanabe et al. does not disclose and a communications data class Ethernet (CDC-Ethernet), but Brownell et al. disclose

to use the communications data class Ethernet (CDC-Ethernet) configuration (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 54, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the apparatus of claim 52.

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

wherein the client driver is a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 58, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the apparatus of claim 57,

wherein the resetting of the state of the network device involves disabling one of a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

and a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 59, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the apparatus of claim 57,

wherein the list of descriptors for the configuration commands are for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses REMOTE_NDIS_QUERY_MSG command which is used to query the RNDIS network adapter).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

or a communications device class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 61, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the apparatus of claim 57,

wherein host accepts the configuration (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

for the communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 62, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the apparatus of claim 57,

wherein the host issues a configuration to the device to use (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

for the communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 65, the combination of Microsoft, Watanabe et al. and Moroz et al. discloses the system of claim 63.

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

wherein the client driver is a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 69, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the system of claim 68, wherein resetting of the state of the network device comprises disabling one of a remote network drive interface specification (RNDIS)

(Microsoft – Page 2 discloses REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

and a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 70, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the system of claim 68,

wherein the device descriptor listing for the configuration commands is for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses REMOTE_NDIS_QUERY_MSG command which is used to query the RNDIS network adapter).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

or a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 72, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the system of claim 68,

further comprising an accepting component configured to accept the configuration (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host after acceptance of the configuration).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

for the communications data class Ethernet (CDC- Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 73, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the system of claim 68, further comprising

a fourth issuing component configured to issue a configuration to the device (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

to use the communications data class Ethernet (CDC-Ethernet) configuration (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 75, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the non-transitory computer-readable media of claim 74,

wherein the one or more instructions for resetting of the state of the network device further comprises one or more instructions for disabling one of a remote network drive interface specification (RNDIS) (Microsoft – Page 2 discloses REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

and a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 77, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the non-transitory computer-readable media of claim 74, further comprising

one or more instructions for accepting the configuration (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

for the communications data class Ethernet (CDC- Ethernet) (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

As to Claim 78, the combination of Microsoft, Moroz et al. and Watanabe et al. discloses the non-transitory computer-readable media of claim 74, further comprising

one or more instructions for issuing a configuration code instructing the device (Microsoft – Page 2 discloses the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter).

The combination of Microsoft, Watanabe et al. and Moroz et al. does not disclose communications data class Ethemet, but Brownell et al. disclose

to use the communications data class Ethernet (CDC-Ethernet) configuration (Brownell et al. – Page 6 discloses the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 43.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD G. KEEHN whose telephone number is (571)270-5007. The examiner can normally be reached on Monday through Thursday, 9am - 8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rupal D. Dharia/
Supervisory Patent Examiner, Art Unit 2400

RGK